

July 18, 1999

To: The Food and Drug Administration

6876 '99 JUL 22 P1:59

Re: Docket No. 98N-1265

My doctor prescribes compounded drug products for my wife and for me. Often these prescriptions are filled in another state. Our doctor does this because he prefers a compounded product over a patented product as treatment for a particular problem. And his preference is only available out of state.

Please do not deprive us of effective, alternative treatments. This will happen if your MOU of January 21, 1999 is not amended before your suggested legislation, Docket No. 98N-1265, is acted on by the Senate and the House.

In its present form the MOU, as well as the Compounding Section 503A of the Modernization Act, severely restricts the rights of physicians and patients to obtain healthcare products from the provider of their choice. The MOU infringes on the rights of compounding pharmacists to serve the public's medical needs wherever they exist in the country. The MOU must be amended!

Harry Berner

170 West End Avenue - Apt. 7N

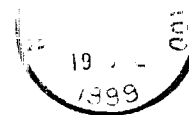
New York, NY 10023

212-877-3538

98N-1265

C4325

**HARRY DERNER
170 WEST END AVENUE 7N
NEW YORK, NY 10023**



*Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20857-0003*